

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILDRED DIAZ OSEI,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/10/20

1:20-cv-05152-GHW

ORDER OF SERVICE AND
SCHEDULING ORDER

GREGORY H. WOODS, United States District Judge:

The Clerk of Court shall notify the U.S. Attorney's Office for the Southern District of New York of the filing of this *pro se* case, brought pursuant to 42 U.S.C. § 405(g), for which the filing fee has been waived. The U.S. Attorney's Office shall use its best efforts to file a notice of appearance within fourteen days of the date of this Order.

The Court orders the following briefing schedule, which varies in certain respects from the Standing Order "Motions for Judgment on the Pleadings in Social Security Cases," 16-MC-0171 (Apr. 20, 2016), Dkt. No. 3:

Within 90 days of filing a notice of appearance, the Commissioner of Social Security shall file the Electronic Certified Administrative Record (e-CAR), which shall constitute the defendant's answer, or otherwise move against the complaint. If the Commissioner wishes to file a motion for judgment on the pleadings, any other motion, or a stipulation to remand to the Commissioner, the Commissioner shall do so within that same ninety-day period. Unless the Commissioner obtains an extension of time from the Court, the Commissioner shall file an e-CAR and any other motion or stipulation no later than 110 days from the date of this Order. If Plaintiff wishes to file a cross-motion, Plaintiff must do so within thirty days after the Commissioner's filing of a motion.

An opposition to any motion shall be filed within thirty days from service of the motion. Any reply must be filed within fourteen days thereafter. Any motion or opposition must be

accompanied by a supporting memorandum of law and include specific citation to the parts of the record on which the party relies.


Requests for an extension of any of the dates set forth herein must be made in accordance with the Court's Individual Rule 1(E). In addition, if the Commissioner anticipates that the Commissioner will require an extension of the date by which it must file a motion for judgment on the pleadings, any other motion, or a stipulation of remand to the Commissioner, the Commissioner should request the extension no less than two business days prior to the filing of the e-CAR or other response to the complaint.

Memoranda in support of or in opposition to any dispositive motion shall not exceed 25 pages in length, and reply memoranda shall not exceed 10 pages in length. A party seeking to exceed these page limitations must apply to the Court for leave to do so, with copies to all counsel, no fewer than seven days before the date upon which the memorandum is due.

The Clerk of Court is directed to mail a copy of this order to Plaintiff by certified mail.

SO ORDERED.

Dated: July 10, 2020



GREGORY H. WOODS
United States District Judge